

MEMORANDUM

NOVEMBER 20, 1975

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: ROBERT T. KENNEY, DIRECTOR
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 12/2/75 Petition No. Z-3465
Lucy A. Cibotti
26 Warren Avenue, Hyde Park
near Beacon Street

One-story frame structure - Single-family (S-5) District.

Purpose: to change occupancy from one-family dwelling to
one-family dwelling and beauty shop.

Violations:	<u>Required</u>	<u>Proposed</u>
Section 18-1. Front yard is insufficient.	30 feet	25 feet
Section 19-1. Side yard is insufficient.	12 feet	8 feet

Petitioner would operate the business in the basement of
this ranch-type structure. Neighborhood is residential,
one- and two-family. Facility would set an undesirable
precedent in the area. Recommend denial.

VOTED: In reference to Petition No. Z-3465, brought
by Lucy A. Cibotti, 36 Warren Avenue, Hyde Park,
for two variances for a change of occupancy from
a one-family dwelling to a one-family dwelling
and beauty shop in a single-family (S-5)
district, the Boston Redevelopment Authority
recommends denial. Facility would set an
undesirable precedent in this one- and two-
family residential neighborhood.

Z-7165
36 WARREN AVE.
(H. P.)



Board of Appeal Referrals 11/20/75

Hearing: 12/2/75

Petition No. Z-3466

Merchants Tire Company

Max Katz

1299 Boylston Street, Boston
at Jersey Street

Two-story structure (tire storage and service station) -
General Business (B-2) District.

Purpose: to replace existing oval sign with rectangular sign.

Violation:

Section 11-5. A free-standing sign is not allowed in a B-2 district; existing nonconforming sign may not be reconstructed, extended, changed structurally or in context, or replaced except in accordance with the Code.

An existing oval sign would be replaced by a smaller rectangular sign. There would be no significant effect on this commercial area. Recommend approval.

VOTED: In reference to Petition No. Z-3466, brought by Merchants Tire Company, 1299 Boylston Street, Boston, for a conditional use to replace existing oval sign with a rectangular sign in a General Business (B-2) District, the Boston Redevelopment Authority recommends approval. Proposal would not have a significant effect on this commercial area.

Z-3466
1299 BOYLSTON
(B.P.)
N



Board of Appeal Referrals 11/20/75

Hearing: 12/2/75

Petitions Nos. Z-3467-3468
Cod Realty Trust
Clarence Taylor, Trustee
55-57 and 59-61 Gerrish Street,
Brighton
near Brooks Street

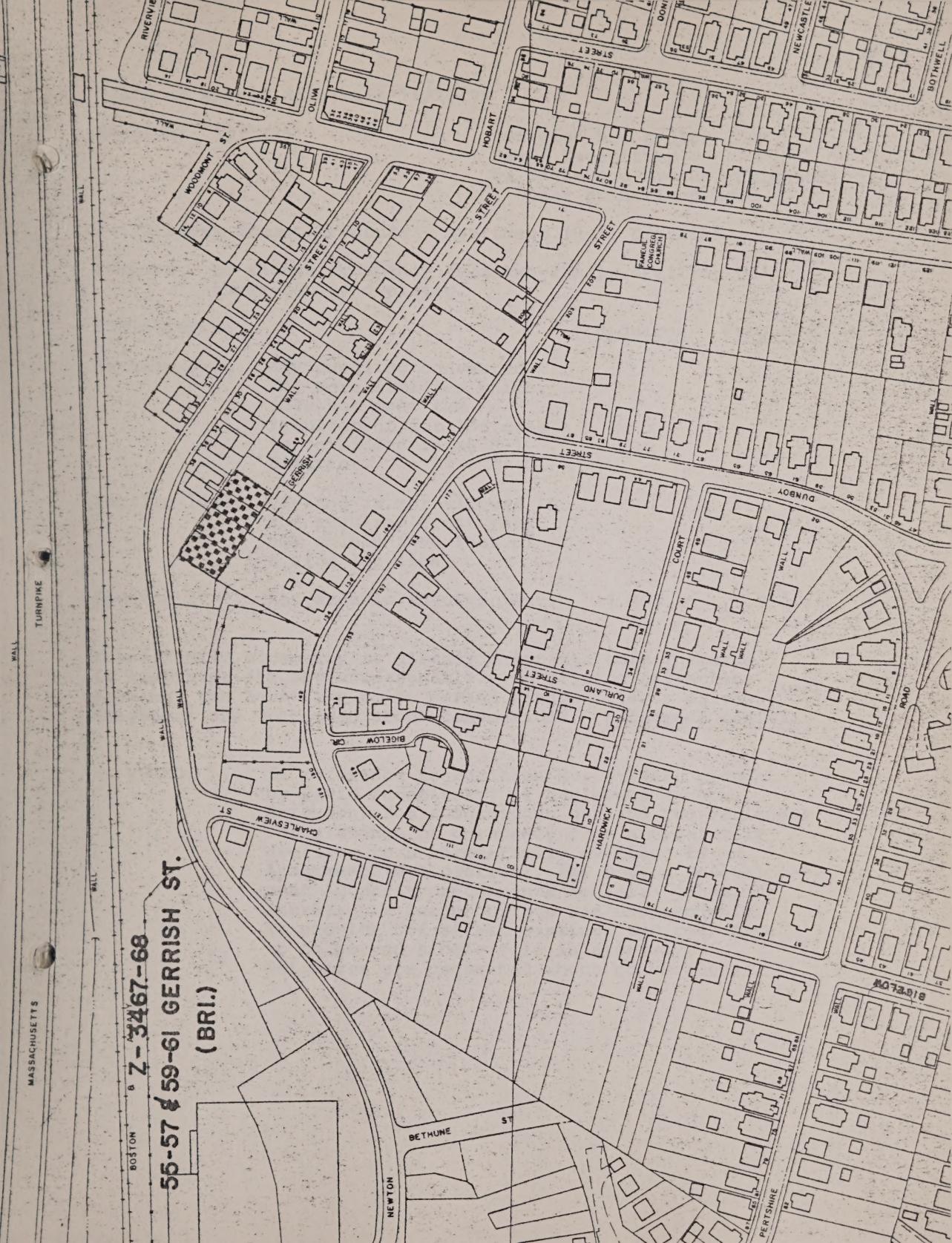
9,045 Square Feet of Land - Single-family (S-.5) District.

Purpose: to erect two two-family dwellings.

Violations:	<u>Required</u>	<u>Proposed</u>
Section 8-7. A two-family dwelling is forbidden in an S-.5 district.		
Section 14-1. Lot area is insufficient.	6,000 sf	4,800 sf 4,245 sf
Section 14-2. Lot area for additional unit is insufficient.	4,000 sf	-
Section 15-1. Floor area ratio is excessive.	0.5	0.53 0.6
Section 18-1. Front yard is insufficient.	30 ft.	10 ft. 10 ft.
Section 20-1. Rear yard is insufficient.	37 ft.	33 ft. 23 ft.

Proposal is contrary to the predominant single-family character of the street. Steeply sloped site would require extensive fill. Community has opposed two-family development for some time. Recommend denial.

VOTED: In reference to Petitions Nos. Z-3467-3468, brought by Cod Realty Trust, 55-57 and 59-61 Gerrish Street, Brighton, for two forbidden uses and ten variances to erect two two-family dwellings in a single-family (S-.5) district, the Boston Redevelopment Authority recommends denial. Proposal is contrary to the predominant single-family character of the street. Steeply sloped site would require extensive fill. Community has opposed two-family development for some time.



MASSACHUSETTS

BOSTON 0 7-3467-68

55-57 & 59-61 GERRISH ST.
(BRI.)

Board of Appeal Referrals 11/20/75

Hearing: 12/2/75

Petition No. Z-3469

David Zacepitzy

62 Englewood Avenue, Brighton
near Sutherland Road

2-1/2-story frame structure - Apartment (H-1) District.

Purpose: to change occupancy from two-family dwelling to
three-family dwelling.

Violations:

Required Proposed

Section 8-7. Any dwelling converted
for more families which
does not meet the
requirement for lot area
is forbidden in an H-1
district.

Section 10-1. Parking is not allowed in
the required front yard
nor within five feet of
a side lot line.

Section 14-2. Lot area is insufficient. 7,000 sf 5,720 sf

Three-family occupancy is already existing; this increase
is inappropriate and unreasonable. To provide off-street
parking, two cars have to be parked single file in driveway.
Neighbors are concerned about conversions. Recommend denial.

VOTED: In reference to Petition No. Z-3469, brought
by David Zacepitzy, 62 Englewood Avenue,
Brighton, for a forbidden use and two variances
for a change of occupancy from a two-family
dwelling to a three-family dwelling in an
Apartment (H-1) District, the Boston Redevelop-
ment Authority recommends denial. Occupancy
increase is inappropriate and unreasonable.
To provide off-street parking, two cars have
to be parked single file in driveway.
Neighbors are concerned about conversions.

Z-3469
62 ENGLEWOOD AVE.
(DOR.)



Board of Appeal Referrals 11/20/75

Hearing: 1/13/75

Petition No. Z-3470
The Carney Hospital
2116 Dorchester Avenue, Dorchester
near Gallivan Boulevard

Hospital complex - Apartment (H-4) District.

Purpose: to erect a three-level open parking structure.

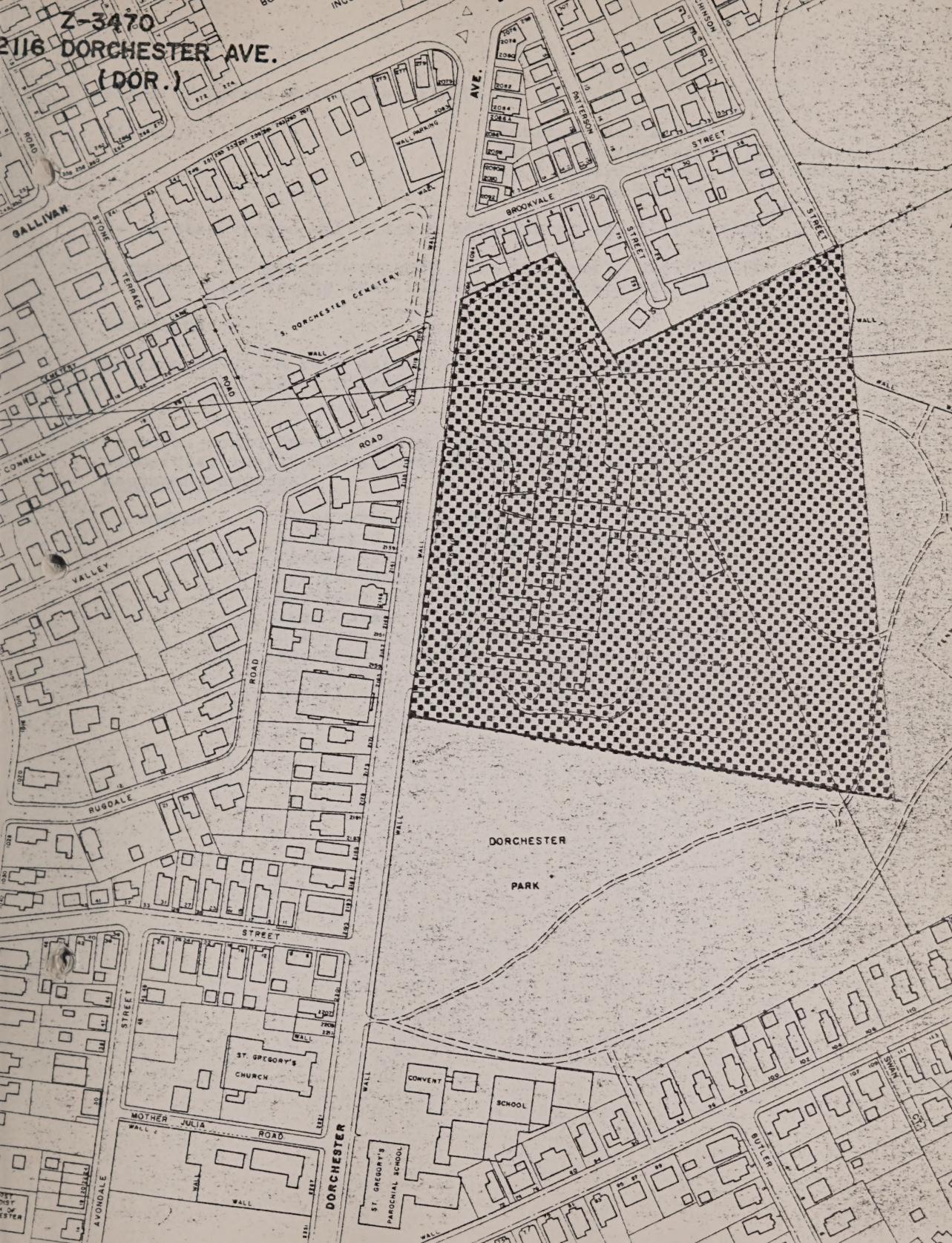
Violation: Required Proposed

Section 20-1. Rear yard is insufficient 20 ft. 10 ft.

Structure would accommodate 600 cars and relieve vehicular congestion in the area. Yard deficiency is minimal and would not create traffic hazards. However, petitioners should submit to the Authority a comprehensive master plan indicating present and future expansion. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3470, brought by The Carney Hospital, 2116 Dorchester Avenue, Dorchester, for a variance to erect a three-level, 600-car open parking structure in an Apartment (H-4) District, the Boston Redevelopment Authority recommends approval with the condition that the petitioner submit to the Authority a comprehensive master plan indicating present and future expansion.

Z-3470
2116 DORCHESTER AVE.
(DOR.)



Board of Appeal Referrals 11/20/75

Hearing: 12/9/75

Petition No. Z-3471

Edward V. and Mary F. Clougherty
1702 Centre Street, West Roxbury
at Rhoda Street

2-1/2-story frame structure - Residential (R-.5) District.

Purpose: to change occupancy from two-family dwelling to
two-family dwelling and real estate office.

Violation:

Section 8-7. A real estate office is forbidden in an
R-.5 District.

Proposal would be compatible with mixed residential-
commercial-institutional uses in the immediate area.

Recommend approval.

VOTED: In reference to Petition No. Z-3471, brought
by Edward V. and Mary F. Clougherty, 1702
Centre Street, West Roxbury, for a forbidden
use to change occupancy from a two-family
dwelling to a two-family dwelling and
real estate office in a Residential (R-.5)
District, the Boston Redevelopment Authority
recommends approval. Proposal would be
compatible with mixed residential-commercial
institutional uses in the immediate area.



Board of Appeal Referrals 11/20/75

Hearing: 12/9/75

Petition No. Z-3474
George G. Marquis
65 Chestnut Hill Avenue, Brighton
near Union Street

2-1/2-story frame structure - single-family (S-.5) District.

Purpose: to legalize occupancy - church and residence for twelve members of religious group.

Violations: Required ProposedSection 8-7. A lodging house is forbidden
an S-.5 District.

Section 14-2. Lot area is insufficient. 22,000 sf 15,542 sf

Section 23-7. Off-street parking is 19 spaces 12 spaces
insufficient.

Site is inappropriate. Area is one of the few single-family neighborhoods in Allston-Brighton. Community has expressed concern that the facility would tend to encourage other unwanted uses to locate in the area. Inadequate parking would intensify existing traffic conditions. Recommend denial.

VOTED: In reference to Petition No. Z-3474, brought by George G. Marquis, 65 Chestnut Hill Avenue, Brighton, for a forbidden use and two variances to legalize occupancy for a church and religious group residence in a single-family (S-.5) district, the Boston Redevelopment Authority recommends denial. Site is inappropriate. Area is one of the few single-family neighborhoods in Allston-Brighton. Community has expressed concern that the facility would tend to encourage other unwanted uses to locate in the area. Inadequate parking would intensify existing traffic conditions.



2-3474
65 CHESTNUT HILL AV
(BRI.)

Hearing: 12/9/75

Petition No. Z-3475
Eugene DiCenzo
120 Prince Street, Jamaica Plain
near The Arborway

Two-story frame structure - single-family (S-.3) district.

Purpose: to erect one-story addition to a one-family dwelling.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 15-1. Floor area ratio is excessive.	0.3	0.32
Section 19-1. Side yard is insufficient.	12 ft.	7 ft.
Section 20-1. Rear yard is insufficient.	40 ft.	4 ft.

Petitioner states that the addition, partially framed, would be utilized as a sleeping and physical therapy room for a member of his family who is confined to a wheelchair. The 20 ft. x 14 ft. expansion would not have a serious impact on abutters. Recommend approval.

VOTED: In reference to Petition No. Z-3475, brought by Eugene DiCenzo, 120 Prince Street, Jamaica Plain, for three variances to erect a one-story addition to a one-family dwelling in a single-family (S-.3) district, the Boston Redevelopment Authority recommends approval. Proposed expansion would not have a serious impact on abutters.



Hearing: 12/9/75

Petition No. Z-3476
Star Properties of Cambridge, Inc.
87-89 River Street, Dorchester
at Sturbridge Street

24,628 square feet of land - Residential (R-.5) District.

Purpose: to combine lots; to use premises for ancillary parking (68 cars).

Violations:	<u>Required</u>	<u>Proposed</u>
Section 8-7. Ancillary parking lot is conditional in an R-.5 District.		
Section 10-1. Parking not allowed within required front yard nor within five feet of side lot line.		
Section 18-1. Front yard is insufficient. 25 ft.	0	
Section 19-1. Side yard is insufficient. 10 ft.	0	
Section 20-1. Rear yard is insufficient. 40 ft.	0	

Proposed lot would serve the Star Market located directly opposite the site. Customers would have to cross River Street, a major arterial, to reach store entrance. Additional curb cuts on River Street would intensify an already congested, confusing, and hazardous traffic pattern. Deficient front yard would not allow adequate landscaping screen. Absence of side and rear yards further compounds commercial intrusion into a residential neighborhood. Lower Mills Civic Association has indicated strong opposition. In 1972 and 1973, the Authority recommended denial of similar petitions; the Board of Appeal concurred. Recommend denial.

VOTED: In reference to Petition No. Z-3476, brought by Star Properties of Cambridge, Inc., 87-89 River Street, Dorchester, for a conditional use and four variances to combine lots and use premises for ancillary parking in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. Customers would have to cross River Street, a major arterial, to reach store entrance. Additional curb cuts on River Street would intensify an already congested, confusing, and hazardous traffic pattern. Deficient front yard would not allow adequate landscaping screen. Absence of side and rear yards further compounds commercial intrusion into a residential neighborhood. Lower Mills Civic Association has indicated strong opposition.



Z-3476
87-89 RIVER ST
(DOR)

Board of Appeal Referrals 11/20/75

Hearing: 12/9/75

Petition No. Z-3477
Alfred J. Pagliocca
18 Hobson Street, Brighton
near Faneuil Street

One-story accessory tool shed - residential (R-.5) district.

Purpose: to legalize construction of tool shed in rear yard.

Violation:

Section 20-2. Accessory building may be no nearer than four feet to any side lot line.

Shed is located in rear yard of a two-family dwelling.
Side yard deficiency is 2-1/2 feet. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3477, brought by Alfred J. Pagliocca, 18 Hobson Street, Brighton, for a variance to legalize construction of a tool shed in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval provided that the shed not be used for storage of contractors' tools or combustible materials or for any business purposes.

Z-3477

18 HOBSON ST.

(BRI.)



Board of Appeal Referrals 11/20/75

Hearing: 12/2/75

Petition No. Z-3481
Allston Car Wash, Inc.
Albert Feldman
434 Cambridge Street, Allston

One-story masonry structure - general business (B-1) district.

Purpose: to change occupancy from car wash to car wash, repair garage, and gas service station.

Violation:

Section 8-6. A change in a conditional use requires a Board of Appeal hearing.

Car wash and service station are existing. Repair facility would be contrary to conditional use requirements: inappropriate location, would have an adverse neighborhood impact, and tend to create a serious hazard to vehicular and pedestrian traffic (especially children walking to and from nearby Mann School). Allston Civic Association is opposed. Recommend denial of repair garage.

VOTED: In reference to Petition No. Z-3481, brought by Allston Car Wash, Inc., 434 Cambridge Street, Allston, for a conditional use for a change of occupancy from car wash to car wash, repair garage, and service station in a general business (B-1) district), the Boston Redevelopment Authority recommends denial of repair garage, as it would be contrary to conditional use requirements: inappropriate location, would have adverse neighborhood impact, and tend to create a serious hazard to vehicular and pedestrian traffic (especially children walking to and from nearby Mann School). Allston Civic Association is opposed.

Z-3481
434 CAMBRIDGE ST.
(ALLSTON)
ALLSTON



Board of Appeal Referrals 11/20/75

Hearing: 12/9/75

Petition No. Z-3483
Pier 4, Inc. - Anthony Athanas
140 Northern Avenue, Boston
at Commonwealth Pier

Restaurant - waterfront (W-2) district.

Purpose: to erect one-story addition to restaurant (Pier 4).

Violation:

Section 8-6. A change in a conditional use requires Board of Appeal approval.

An existing temporary dining enclosure would be replaced by a proposed permanent addition. Proposal complies with conditional use requirements.

Recommend approval.

VOTED: In reference to Petition No. Z-3483, brought by Pier 4, Inc., Anthony Athanas, 140 Northern Avenue, Boston, for a conditional use to erect a one-story addition to a restaurant in a waterfront (W-2) district, the Boston Redevelopment Authority recommends approval. Proposal complies with conditional use requirements.

Board of Appeal Referrals 11/10/75

Hearing: 12/9/75

Petition No. Z-3486
John Baldassari
23 Swan Avenue, East Boston
near Leverett Avenue

5,647 square feet of land - residential (R-.8) district.

Purpose: to erect a one-family dwelling.

Violation:

	<u>Required</u>	<u>Proposed</u>
Section 19-1. Side yard is insufficient.	10 ft.	6 ft.

Minimal yard deficiency would not have an adverse effect on the neighborhood.
Recommend approval.

VOTED: In reference to Petition No. Z-3486, brought by John Baldassari, 23 Swan Avenue, East Boston, for a variance to erect a one-family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. Minimal yard deficiency would not have an adverse effect on the neighborhood.

Z-3486

~~23 SWAN AVE.~~

(E.B.)

SUFFOLK DOWNS PARK

